

Hawaiian Gazette.

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HONOLULU, H. T., FRIDAY, OCTOBER 24, 1902—SEMI-WEEKLY.

WHOLE N. 2429.

WRIGHT'S BAIL NOT REDUCED

Clerk Must Give \$6000 or Stay in Jail.

Chief Justice Frear yesterday refused to reduce the \$6,000 bail fixed by Judge Wilcox in the case of B. H. Wright, and the prisoner was taken back to jail, with his attorney, George Davis, threatening to appeal to the United States court.

The matter came before Judge Frear yesterday morning on petition for writ of habeas corpus, the defendant raising the constitutional question of excessive bail.

Davis appeared for Wright, while High Sheriff Brown, Attorney General Dole and Deputy Douthit represented the government. The material part of the return of the high sheriff was as follows:

"That he is the duly appointed, qualified and acting high sheriff of the said Territory and ex-officio keeper of Oahu jail; that he holds and detains the said Benjamin H. Wright in said jail under and by virtue of a commitment of the district magistrate of the District of Honolulu for the crime of embezzlement, alleged to have been committed by the said Benjamin H. Wright; and under and by virtue of a mittimus thereon, a true copy of which is annexed to said petitioner's petition and made a part thereof; that the amount of the alleged embezzlement is \$4,982.10, and that the amount of bail required by said district magistrate is \$6,000, that the amount of said bail is not excessive and that the same has not been tendered."

At the request of Davis, Attorney General Dole admitted that Wright had stated that he had no property, and if he did possess any it was in his wife's name. Wright explained that his wife owned a one-fifth interest in the Long estate, and had, besides, King street property of about \$5,500. There is a mortgage of \$5,000 on the property.

Davis, in opening, referred to the bail of \$4,000 in the first case, and added that the government could gain nothing by demanding excessive bail. The constitution guaranteed a free and impartial hearing, and this, the attorney said, could not be obtained with the defendant behind prison bars. Davis criticised the California opinions which were against him, saying that they had been severely criticised at the time that they were given by the journals. "This is an attempt on the part of the government to prevent Wright from getting bail," said the attorney. "The prosecution is not satisfied with an attempt to convict him but simply wants to find a victim and violate the constitution. The government should accept a reasonable amount of bail, otherwise I say they are hunting a victim, but they may not find one here. He has friends who will see that he gets justice in other courts, and according to the law of the land, if not in these courts. These California decisions cannot be relied upon; this one as to requiring bail for more than the amount of the embezzlement is not worthy of weight. Why, it is only a page long, and the poorest apology for an opinion I ever saw. I never saw your honor send down a decision like this, and I am not saying this for flattery. There may have been one like this in passing upon some little motion, perhaps, from Hilo, or somewhere else. To require bail of \$6,000 in this case is not judicial conduct. I am not impeaching anyone, but the authorities should not seek to railroad a man to jail; don't seek a victim. Embezzlement is not such a serious crime. Don't seek to punish one man, when there are so many. Magistrates are not lawyers; they make mistakes, so do all of us, but they make more. I often go into these courts just for amusement, and some out disgusted."

"Suppose we fix the bail in this case at \$3,600," continued Davis. "In the other case Judge Gear reduced the bail from \$6,000 to \$4,000." "The bail in that case is larger in proportion now than in this amount," returned Judge Frear.

Mr. Dole replied briefly to the argument of Davis. He contended that the statute provided for imprisonment for ten years or a fine of five times the value of the property embezzled, and

this should be taken into consideration. Referring to the first bond, he said that while the Long estate was worth five times the amount of the bail, yet the property was undivided, and this prevented it from being git-edged security. In the first case Judge Gear fixed the bond at \$4,000, and Judge Wilcox, acting upon that intimation, set the bail at \$6,000 on the second charge. Mr. Dole contended that if the bond should be only the amount of the embezzlement, when the embezzler is captured, and he can take chances on being captured, the government had absolutely no protection from embezzlement, as the thief could not lose anything, even if caught, and he has also a chance to get away. "The court should also take into consideration the unfortunate condition of the territory at present, the treasurer being gone, and other degradations having occurred. It is believed that if the bail is unduly small, people who are interested would spirit the petitioner away. This government wants all the facts, and to have the guilty punished and the innocent go free." Mr. Dole said he had nothing but the most kindly feelings for the defendant, but he could not administer the duties of his office honestly and efficiently, and consent to a reduction of the bail. He did not believe the amount asked to be unreasonable.

Davis replied, charging that the government wanted to keep Wright in prison because of other defalcations.

He said he would be willing to accept a reduction to \$4,000, which is more than is required for murder. "Unless there are strong circumstances, which must prove their case beyond doubt, the government can never convict him. The attorney general is over-zealous, and this man should be given his liberty, notwithstanding that there are other embezzlements, and notwithstanding the press."

"There is no doubt that the constitution prohibits the imposition of excessive bail," said the Chief Justice in denying the motion. "The question now to be decided is as to whether the bail fixed is excessive. The question is not the same as it would be if the application for bail was an original one; the only contention now is as to whether or not the district magistrate abused his discretion. In determining what is reasonable, various things should be taken into consideration; the ability of the prisoner to give bail, the atrocity of the offense, and the penalty. In this case the prisoner was a high public official, and is presumed to have friends. The amount of the bail fixed is \$4,000, and that amount of bail required by said district magistrate is \$6,000, that the amount of said bail is not excessive and that the same has not been tendered."

"The amount of the bail depends largely upon the enormity of the offense; in embezzlement, the amount of bail varies inversely with the amount of the embezzlement. In the case where the amount was \$100, five times that amount would not be considered excessive, while if it was \$1,000,000, the same amount as bail might seem unreasonable. In the Tweed case, in New York, where the embezzlement charged was \$6,000,000, the bail was only \$3,000,000. There is no rule that bail should not exceed the amount embezzled."

"Of course, the penalty must also be taken into consideration. In the present case, the statute provides for imprisonment for any term of years up to life, or a fine of five times the amount of the embezzlement. The statute provides also that where the punishment is only a fine, the bail should be five times higher than that amount. If the punishment in this case were a fine alone, the bail should be \$25,000. But this provision is not technically applicable. In the light of prevailing views, and the tendency to amelioration of criminal law, it seems me, taking everything into consideration, the bail is not unduly high.

The prisoner will be remanded to custody, under the terms of the commitment, and subject to be at large on the bail fixed by the committing magistrate.

"Up to a late hour yesterday, Davis had not made good his threat of appealing to Judge Estee, and efforts are still being made to secure a bondsman, though the attorney told Judge Gear that he would be unable to do so.

BOYD BEGINS EXPLANATION

Supt. James H. Boyd was at work yesterday on the books and accounts of his office in the Department of Public Works.

He is going over all the records of his office with Secretary Cooper and making explanations as they may seem necessary in the examination of the books. Mr. Boyd was not personally in charge of the books of his department, and many of the transactions are known only to his clerks. The investigation will take some days.

FINANCES O. K. FOR KONA-KAU ROAD

Letters were received by the Sierra yesterday by parties here from Jacob Cooper, in which he states that he has completed all financial arrangements on the mainland for the Kona-Kau railroad project, and that he would arrive here on November 1. He said that he has the backing of Chicago, St. Louis and New York people who will back him for \$5,000,000.

KONA WILL BE WOUND UP SOON

Stockholders Vote to Ask for an Order for Sale of the Plantation.

Just as soon as the committee, provided in the resolution passed by its stockholders, can get together and take the preliminary steps, the Kona Sugar Company will apply for the winding up of its affairs. This action was taken unanimously at a meeting of the shareholders yesterday afternoon, where out of the 5,000 shares 2,355 were represented.

The meeting of the stockholders was held at the office of the agents, McChesney & Sons, and while there was not a large number of the shareholders present they represented the majority of the stock. There was little discussion had, for as soon as the meeting had been called to order, and the status of the plantation explained, the resolution appended was introduced. It was announced that the directors of the company were of opinion that the course was the only one open as there seemed no way in which money could be raised for the various purposes which are deemed important by those who are interested in the furthering of the interests of the plantation.

This plan for the winding up of the estate was reached after the Third Circuit Court had refused to entertain the motion to have E. E. Conant made manager, owing to the fact that there seemed no reason to believe that the added charge against the estate would be productive of beneficial results. Mr. Conant was reported to have said that the heads of that house will not discuss the matter at all.

Col. J. H. Soper, who had several interviews with Jacob Cooper, while at San Francisco, said yesterday that he had been informed by the promoter of the Kona-Kau railroad, that he had many plans for the development of the two districts which are to be traversed by the railroad in question. He said, as reported, that he had assurances of support financially to the extent of five millions, and that he hoped to secure control of the Kona plantation, which would be the basis for much of the sugar development of the southern side of the big island.

The resolution passed by the stockholders yesterday is as follows:

Whereas, since the appointment of M. F. Scott, Esq., as Receiver of The

ROMANY ENCAMPMENT WILL BE FORM OF THE FAIR

Episcopal Cathedral Ladies Plan Unique Entertainment--Many Special Features and Entertainments.

Gay in the holiday garb of the Romany folk, the band of strolling minstrels will be one of the principal features which will mark the completeness of the Gypsy encampment, in which form the ladies of the Episcopal Cathedral congregation will give their annual fair. The grounds surrounding the E. D. Tenney mansion will be the scene of the camp, and Saturday afternoon, from 2 till 6 o'clock there will be reproduced there the features of such a gathering of the wanderers.

The plans for the fair are being worked out carefully by the various committees in charge, and the arrangements yesterday began to take form. On the lawn mauka of the house there has been erected a large tent, and Mrs. Dr. Herbert, in charge of the decorations, has succeeded, by the generous use of palm branches, in hiding the construction until the canvas seems suspended from the branches of the trees. In this bower will be placed the principal booths. The doll show has been given the post at the entrance, and adjoining it will be the home made delicacies, with candies and other articles occupying the other side. The interior will be finished with color in contrast with the masses of green which form the walls, and made bright with the displays.

Across the drive, and where every visitor will be given an opportunity to quench their thirst, will be the principal refreshment booth, and alone of all the arrangements is there a semblance of formality in these two main enclosures. About the spacious grounds will be placed tables where, beginning with the tea at 3:30 o'clock, there will be

constant service of refreshments of all kinds.

On one side there has been prepared the replication of the woods camp of the wandering tribes. A Gypsy queen will preside over the camp, and while the kettle boils on the tripod of boughs, the cateress of the party will

Kona Sugar Company, Limited, and under his management and control of its affairs at the plantation of the company, the receipts from the sale of sugar have not equalled the expenditures, and its liabilities have increased by several thousand dollars, and the property of the company, including plant and ratoon cane, is rapidly deteriorating in value; and.

Whereas, litigants and creditors have instituted actions in the Circuit Court of the Third Circuit for the foreclosure of said lands and to recover judgments against the Company; and.

Whereas, the manual laborers now in the employ of the Company are restive and dissatisfied under the existing circumstances, and fail and refuse to properly and faithfully discharge their several duties and engagements to and with the Company, and have repeatedly engaged in strikes, thereby causing great loss to the Company and its creditors, and threaten to engage in other strikes entailing additional loss upon the Company and its creditors; and.

Whereas, it is now settled beyond peradventure that the Company cannot hope to save any part of its property without employing money in a large sum, nor any part thereof sufficient for temporary use, cannot under present conditions be obtained; and.

Whereas, the further conduct of said plantation by a Receiver, in view of the matters above recited, cannot by any reasonable probability confer any sort of benefit upon the Company, but will inevitably result in the disintegration and waste of the Company's property, thereby entailing a great, if not a total, loss upon the bondholders of the Company and causing great injury to the community, by the tendency which such an end would have upon the market value of Hawaiian securities abroad; and.

Whereas, this Company is under an impressive moral obligation to its bondholders and other creditors to concert and in every way co-operate with them to enable them, if possible, to avert the great loss now threatened them; therefore, be it

Resolved, by the Stockholders of The Kona Sugar Company, Limited, in special meeting assembled, such meeting having been duly, regularly and legally called for this purpose, that J. M. McChesney, Clinton J. Hutchins and W. W. Hall, Esquires, be and they are hereby appointed a Committee with full authority to invoke such legal proceedings in the name of this Company, as they may be advised are necessary to secure the immediate sale at public vendue of all every property of the Company whether real, personal or mixed and wherever situated, and be it

Resolved, that the power and authority above conferred upon said Committee may be exercised by any two members thereof, or in the event of the absence from the city of Honolulu, or the death, or the inability from any cause, of any two members of said Committee to act in the premises, then and in such event the power and authority may be done, performed and exercised by the remaining member as fully and effectually to all intents and purposes as if he had been appointed a Committee sole, in the first instance.

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Prince Kuhio has changed his course within the week, and instead of continuing at work on the island of Maui, as he planned, he is now in Hilo. This determination was reached owing to the fact that he considered that his promise to the people there should be kept, and they should have the opportunity to hear him again. According to information received by telegraph yesterday the Prince left Maui in the Claudio, and would spend the day while the ship lays there, in the Hilo and Puna districts, taking the Claudio back to Maui, and working there until the Mauna Loa passes, which would put him here for the last week only, his return being on October 23. This is not what had been planned, and yesterday urgent messages were sent to him not to change the original purpose of the committee in charge of the meetings here. With as many voters on Oahu as on the entire islands outside, it is felt that he must give to the work here as much time as possible, and he is urged to be here after October 25, when he should return in the Claudio.

The last week's work will be made a hard one, for there will be meetings day and night, and some days more than two gatherings, which he will be asked to address. This will keep him busy, and will give every voter on the island a chance to hear him. It is proposed that the meetings shall be held at various points throughout the island, and perhaps there will be a campaigning party go about with the leader. There is also a bare possibility that Makau, who was such an effective speaker while here, will return with the Prince for the work.

The Young Men's Republican Club will take up the campaign on the waterfront at once, and the first meeting will be held today. There will be speakers attend at Brewer's wharf at noon, and it is expected that there will be a large meeting. Tomorrow there will be an afternoon meeting, the hour being 3 o'clock, and the place the old Fishmarket wharf. These meetings will be kept up until the end of the campaign.

There will be two large meetings this evening. These will be at Isenberg's place at Waialae, and at Camp No. 2 on Lilihi street. The speakers will be, so that they may reach the greatest number of people.

The party which has been on tour on the other side of this island returned yesterday, after most successful

TO HAVE TORCH AND ORATOR

Week End Meeting Will Be Big Gathering.

Republicans will make a brave showing of their strength on Saturday evening, and with torchlight procession and speeches will mark the progress of the campaign. Prince Kuhio will be the principal speaker, and the meeting will be the most elaborate, and without doubt the largest, which has been held as yet. The meeting will be held at Emma square.

That there may be no counter Republican gathering, the Young Men's Republican Club has abandoned its announced meeting for the Orpheum on that evening, and the members of the committee of the club will turn in and give all their weight to make the turnout impressive. The committee in charge has arranged that there shall be assembling of the various clubs at the rendezvous on Union square, from which point the marching men will take their way over the principal downtown streets to Emma square. The officers who will have charge of the procession have not been announced nor has the line of march been fixed. But these details will be fixed during today, and the entire arrangements will be in shape.

The change of place for the meeting was made owing to the fact that the outlook is for such an attendance of Republicans, and those who will wish to hear the speech of the Prince, that they could not be gathered within the walls of the Orpheum. It has been found that there are larger gatherings, too, out of doors, and this has had to do with the change of plans for Saturday evening. There is, as well, on Saturday evening a great meeting at the Kalihi camp, and it is expected that the Prince will go there when he has finished his speech at Emma square. This of course cannot be decided until the return of the leader, as his trip may have proved exhausting.

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BRITISH CABLE COMING

Bill to Extend It Has a Second Reading.

WELLINGTON (N. Z.), September 23.—The Pacific Cable extension bill, which was read a second time in the house of representatives last evening, provides for the extension of the cable between Fanning Island and Honolulu, another channel for getting business over the Pacific Cable, and an alternate route via Vancouver.

NEW YORK, October 15.—The directors of the Commercial Cable Company met today and elected Clarence H. Mackay president of the Pacific Postal Telegraph Company.

All rumors to the effect that a consolidation with any other telegraph company were contemplated were officially denied. Chairman Ward contradicted the published report that the Commercial Company's Pacific cable would go no further than Honolulu. The contract for the entire cable to Manila has been let. The line to Honolulu will be working by January 1, and the entire line to Manila, it is expected, by July. The company has made no contract to lay a cable from Honolulu to Fanning Island.

DUTY ON THE CABLE.

SAN FRANCISCO, October 14.—The steamer Silverton is on the way from Germany to this port with the cable for the new line to the Hawaiian Islands and the Philippines, and the question of the duty to be paid by the Mackay-Bennett people is being considered by Collector of Customs Stratton. It is thought that his decision will be to make the company pay merely on the part of the cable extending three leagues from port, and not on the whole cable.

Famous Vessel Unscrubbed.

Pile drivers, building a section of the new ways for the construction of the new battleship Connecticut at the Brooklyn navy yard, discovered the famous English prison ship Jersey, on which several hundred Americans, who were prisoners at the time of the Revolution, died while the British held New York. Historical societies, government surveys and other researches for many years have failed to locate the ship. The half-burned hull is lying in about two fathoms of mud and water in front of Main street, about 500 feet from the dock. The timbers of the Jersey are believed to be in good condition. Boring proved that they are of oak and teak.

Wants More Warships.

WASHINGTON, Oct. 15.—United States Minister Bowen at Caracas today cabled the State Department asking that one or perhaps two warships be sent to reinforce the gunboat Marquette at La Guayra, in view of the present critical situation which has arisen at the Venezuelan capital.

Some time ago when President Castro left his capital, Minister Bowen expressed to the State Department his fears that an occupation of the capital by the revolutionary forces would result in rioting and pillaging and be attended with great danger to unprotected foreigners. Such a situation, it is inferred here, is again imminent.

Mate Moxsen Again.

SAN FRANCISCO, Oct. 10.—To the surprise of shipping people the ship W. F. Babcock arrived in port yesterday. The Babcock's master is Captain Moxsen, who was chief officer of the Roanoke when that ship caught fire in the South Pacific last year, while en route from Baltimore with coal, and had to put into Honolulu, after an exciting experience. Moxsen distinguished himself upon that occasion by his bravery in locating and fighting the fire in the cargo, and is said to have received a gift of \$500 from the Roanoke's owners, in addition to being given command of the Babcock.

Chilcott an Oil Carrier.

SAN FRANCISCO, Oct. 15.—The ship Marion Chilcott, belonging to the Marion Navigation Company, has been converted into an oil carrier and will be ready to go into commission in a few days. The Chilcott's tanks will have a capacity for carrying 15,000 barrels of oil. She will run between here and Honolulu and be used in keeping up the supply of liquid fuel at the Honolulu oil depot.

Stocks in San Francisco.

SAN FRANCISCO, Oct. 14.—Hawaiian sugar stocks closed today as follows:

	Bid	Asked
Hana Plan.	4	
Haw. Com.	33 $\frac{1}{2}$	34 $\frac{1}{2}$
Honokaa	12 $\frac{1}{2}$	13
Hutch. S. P.	13 $\frac{1}{2}$	13 $\frac{1}{2}$
Klauea	7	8 $\frac{1}{2}$
Makaweli	22 $\frac{1}{2}$	22 $\frac{1}{2}$
Onomea	20	20 $\frac{1}{2}$
Pauhau	13 $\frac{1}{2}$	14

Bug.

NEW YORK, Oct. 14.—Sugar—Raw, nominal. Fair refining, 3c; Centrifugal, 5c; test, 5c; Molasses Sugar, 2 $\frac{1}{2}$ c. Dried, steady.

The finding in the inquest following the death of the President's body guard, William Craig, in the trolley accident, holds that the unlawful acts of the conductor and motorman contributed to Mr. Craig's death.

WORLD'S NEWS IN BRIEF

The Servian cabinet has resigned. Lord Francis Hope will marry again. Hiram E. Lewis of San Jose, Cal., is dead.

Wholesale grocers will form a big combine.

Sir Michael Herbert has presented credentials.

Several Indians grave robbers have been indicted.

Soldiers and Italian peasants have been in conflict.

The Boer generals were warmly greeted at Paris.

On October 15 the Boer generals left Paris for Berlin.

Sixty thousand French coal miners are out on strike.

Americans are losing the Swiss coal market to the Germans.

Two new railroads will be cut through the Pyrenees.

San Francisco gets the next encampment of the G. A. R.

Heavy gales are reported from the English and Irish channels.

Earthquakes and storms did great damage at Ocos, Guatemala.

The German government will try to stop the tide of emigration.

The Oregon Short Line will engage in the Pacific carrying trade.

The Boer generals greeted Kruger on his seventy-seventh birthday.

George Crocker has again been operated on for blood poisoning.

Turkey claims to have defeated the Bulgarian revolutionary bands.

County Judge Hyden of Kentucky has been shot down in ambush.

The new Transvaal tariff reduces duties on all building material.

The Standard Oil Company has decided to use oil for fuel at its refineries.

The port of St. Marie, Hayti, has surrendered to the government troops.

General Fred Grant has arrived at San Francisco on the Transport Logan.

Castro is retreating and the Venezuelan insurgents expect to bottle him up.

Owing to socialist riots martial law has been proclaimed on the frontiers of Spain.

The coal strike in France has brought on a conflict with the gendarmes.

General James F. Smith will succeed General Moses on the Philippine commission.

The literary copyright treaty between Spain and the United States will be resumed.

The second trial of Roland B. Molyneux, charged with murder, has begun in New York.

General Corbin, Young and Wood have been entertained at luncheon by King Edward.

Chicago citizens celebrated the thirty-first anniversary of the great fire with banquets.

Noah Tuttle of the Fifteenth infantry killed himself in a Monterey, Cal., shooting gallery.

The English Church Congress is marked by outspoken criticisms of the Bible's infallibility.

Prof. Moses will leave Governor Taft's cabinet and return to the University of California.

Rear Admiral Casey declares he will sink the Padilla if the Colombian rebels bombard Panama.

Carroll D. Wright has been inaugurated president of Clark University's collegiate department.

Admiral Wilde, commanding the Asiatic squadron, has had a fine yacht fitted up for his quarters.

The New York subway is progressing so rapidly that it may be opened for traffic within a year.

General Nord, war minister of Hayti, has been defeated by the rebels and his army is in full retreat.

A plot to blow up the president of the lower house of the Hungarian parliament has been discovered.

Apache Indians in Arizona are causing settlers some anxiety by their thieving and threats of violence.

Canadian capitalists have formed a great company to promote the sale of Dominion food supplies in England.

William Zeigler will finance another expedition to seek the north pole, probably with Baldwin at its head.

Twenty-two villages of Macedonia are in complete revolt, and mountainous passes have been seized by the rebels.

Lieutenant Peary is to have his frost bitten feet treated at once. Several toes were amputated while he was north.

The will of James Parker Treadwell of Pasadena, who committed suicide, leaves his fortune to the wife he tried to murder.

Owing to the great need for Naval officers the department will hold a special examination for midshipmen on November 12.

Russian capitalists are planning to secure concessions for coal miners which will enable them to control the Oriental market.

The St. Louis-Pacific Coast Burlington express was held up near Woodlawn, Neb., the safe blown up and its contents carried off.

A general strike has been declared at Geneva, Switzerland, on account of the street car men's walkout. Ten thousand men are out.

The Utes of Southern Colorado are killing game in opposition to the state law, have killed the game keeper and are preparing to resist the militia.

The Shenandoah, four-master, has arrived in San Francisco after a passage of 129 days. One man was killed on the voyage and two others hurt and the ship had damaged sails and deck-houses.

Enterprise for Hilo.

SAN FRANCISCO, Oct. 12.—The steamship Enterprise, Captain Miller sailed yesterday for Hilo. She carries eighteen cabin passengers and a full cargo. Among the passengers were some of those prominent in Hilo's affairs. John Scott, manager of the Waiake plantation, Manager McStockier of the Olaa plantation and Superintendent Lambert of the Hilo railroad are returning to Hilo on the Enterprise. Manager McStockier is accompanied by his family.

GEAR LETS WRIGHT OUT OF PRISON

Accepts Bail Which Atty. Gen. Dole and High Sheriff Brown Say is Inadequate.

(From Wednesday's dally.)

B. Haywood Wright enjoyed a few minutes of liberty yesterday afternoon through the instrumental of Judge Gear, and was immediately arrested upon a second charge of embezzlement of government funds amounting to \$4,982.10. Yesterday morning Wright, whose bail was fixed at \$4,000 by Judge Gear, secured a signature to his bond, in the person of Antonio Long, one of the five heirs to the Long estate. When the bond was presented to High Sheriff Brown, he refused to accept it, claiming that it was not sufficient surety, in view of the fact that the estate was assessed at only \$45,000, and the surety owned but an undivided one-fifth interest. A visit to Attorney General Dole brought a like refusal, and then George Davis became indignant and threatened an appeal to Judge Gear.

The original bond of Wright, fixed by Judge Wilcox at the preliminary hearing, was \$6,000, which is double the amount of the alleged defalcation, but Davis brought the matter before "Success to Crime" Gear on habeas corpus, and had the bail reduced to \$4,000, even before the trial in district court had been concluded.

Wright was permitted to leave the jail yesterday in company with an officer and George Davis in order to search for Long, whose presence was required in the application to be made to Judge Gear. It was nearly 6 o'clock yesterday afternoon before young Long could be located on the football field, and he was taken before Judge Gear, who had very accommodatingly agreed to await his arrival in his chambers at the court house. Attorney General Dole was notified and he appeared to object to the approval of the bond. He contended that the entire estate was worth but \$45,000 according to the assessor's books, and that Long had an undivided one-fifth interest, which could not be sold, and which would not bring double the amount of the bond, or \$8,000, if sold at forced sale.

Long went on to testify as to the value of his property, and his statements were backed up by Davis, who insisted that his share in the estate is worth much more than double the bail bond, and that he had qualified under the statute as a bondsman.

JUDGE WILCOX.

Judge Wilcox ordered the defendant brought before him forthwith for hearing, which will probably be this morning at 9 o'clock.

The new charge against Wright for the embezzlement of \$4,982.10 arises from the shortage found in his books as chief clerk in the department of public works. It is entirely apart and distinct from the first charge, upon which he has been held to the grand jury, and which was for the larceny of the Hawaiian Electric Company's check for \$3,200.

HENRY C. MEYERS.

Subscribed and sworn to before me this 21st day of October, A. D. 1902.

W. L. WILCOX.

District Magistrate.

Judge Wilcox ordered the defendant brought before him forthwith for hearing, which will probably be this morning at 9 o'clock.

The new charge against Wright for the embezzlement of \$4,982.10 arises from the shortage found in his books as chief clerk in the department of public works. It is entirely apart and distinct from the first charge, upon which he has been held to the grand jury, and which was for the larceny of the Hawaiian Electric Company's check for \$3,200.

ANOTHER CONFERENCE.

WASHINGTON, Oct. 15.—John Mitchell, the strike leader, arrived here at 11:27 a. m. over the Pennsylvania road. He went direct to the White House, where he held a conference with President Roosevelt and Commissioner of Labor Wright.

AN HOUR'S TALK.

WASHINGTON, Oct. 15.—Mr. Mitchell left the White House at 12:55 p. m., having been with the President a little over an hour. He went to the office of Frank P. Sargent, Commissioner of Immigration. While here he will be the guest of Dr. David T. Day of the Geological Survey.

SIMPLE METHODS.

NEW YORK, Oct. 15.—English moralists are staggered by the tremendous simplicity of the negotiations for bringing the coal strike to a close, cables the London correspondent of the Tribune. Neither sovereign nor prime minister here could have intervened in an industrial crisis as the President has done; nor is there any English financier capable of playing Mr. Morgan's part. No labor leader has arisen in England with Mr. Mitchell's influence over the workers. The strike, if settled by arbitration, will be a fresh proof, according to English observers, that Americans have the power of keeping their heads while walking on the verge of a precipice.

LITTLE HOPE.

WILKES-BARRE (Pa.), October 14.—President Mitchell of the miners' union was in conference with the coal-carriers of Pennsylvania. The proposition to be satisfactory to the miners, as it covers in effect the proposition made by President Mitchell of the United Mine Workers' Union with additional conditions which it is believed the miners will accept.

WILLY HAPPENED.

NEW YORK, Oct. 15.—It is understood that the conference with the coal-carriers will be held on October 15th. The miners' proposition of the full meaning of the proposition of the operators.

WILLY HAPPENED.

NEW MARKET, October 15.—King Edward spent two hours on horseback this morning and made a tour of his racing establishment at Edgerton House. Subsequently he watched the horses exercising on the Heath.

Often in Honolulu.

SAN FRANCISCO, Oct. 11.—The American schooner Otelie Pederson has been abandoned by her officers and crew and is now floating somewhere in the Pacific, a valuable piece of salvage and a terrible danger to navigation.

ENGLAND READY TO FIGHT

LONDON, October 13.—Information has reached here that a great British fleet lately maneuvering in the Mediterranean has been suddenly ordered to take up strategic positions in the neighborhood of Salonica and Smyrna, while the squadrons at Malta and Gibraltar will be immediately strengthened. These measures are considered necessary in consequence of Russia's endeavors to coerce Turkey, particularly with reference to her war ships' privileges in the Dardanelles. The situation is deemed so urgent that it completely subordinates the education bill crisis in Saturday's cabinet meeting.

CHANGE IN PLANS OF HILO RAILWAYS

At a conference yesterday between Acting Superintendent Cooper of the department of public works and representatives of the Hilo and Kohala Railways the right of way upon the Hilo waterfront was agreed upon for both railways.

There has been some difficulty in so allotting the right of way to the proposed Kohala-Hilo Railway as not to cross the tracks of the Hilo Railway. Under the

BRIGHT SUGAR OUTLOOK

Hackfeld Returned From Europe Yesterday.

(From Thursday's Daily.) "I believe that the prospects for better prices for sugar are very encouraging, and that Hawaii may soon again see a return of its former prosperity," said J. F. Hackfeld to the Advertiser after arriving by the steamer Sierra yesterday. Mr. Hackfeld has been away from the islands for about six months, and during his stay in Germany he made a careful study of conditions which affect the sugar market with the result that he returns jubilant over the prospects of island prosperity. Mr. Hackfeld is in the best of health and spirits.

"During my absence," he said, "I have given a good deal of thought to the sugar situation and I believe that the worst commercial depression ever experienced by Hawaii is now passed, and that we may look forward to better prices for sugar in the near future."

"The weather," said Mr. Hackfeld, in speaking of the situation in Germany, "has been very cold and disagreeable there and in other parts of Europe, whereby the growth of beets has been much retarded. From reports received by me, I learn that the weather has shown no improvement during September and October, consequently Mr. Licht, the well-known sugar expert of Magdeburg, has estimated the shortage of the present beet crop in Europe, against last year, from 1,000,000 tons to 1,500,000 tons, with the probability that the shortage will be nearer the latter amount. Any shortage over 1,000,000 tons will go to reduce the surplus of last year of about 1,000,000 tons, and considering the constantly increasing consumption of sugar, it will be seen that the sugar market has every prospect of getting back to normal conditions very soon."

"The present conditions are clearly demonstrated," continued Mr. Hackfeld, "by the quotations for beet sugar in the London market during the past four weeks. On the 16th of September beets were quoted at 6s; on September 17, 6s 1½d; September 20, 6s 3d; September 22, 6s 2½d; September 23, 6s 3d; September 25, 6s 4½d; September 26, 6s 3d; September 29, 6s 4½d; October 2, 6s 4½d; October 3, 7s 2½d; October 4, 7s; October 7 to 15, 7s 2½d; October 16, 7s 3d. You will notice by these figures that beets rose on one day, on October 3, from 6s 4½d to 7s 2½d, and that the price has steadily kept up, rising on October 16, when the steamer Sierra left San Francisco, to 7s 3d, which is equal to about 3 8-10 cents per pound for 96 degrees in New York."

"As the American Sugar Refining Company has lately been in receipt of large shipments of sugar, previously purchased, it did not need to buy any sugar in the New York market; thus the basis for our sugars has remained at 4.475 cents until October 14, when a sale was made at 3½ cents. As the holders of sugar in New York are asking higher prices, the next sale will no doubt be made at a higher rate."

"Another question which has an important bearing on the future sugar market is the convention agreed to and accepted by the governments of England, Germany, Austria, France, Italy, Belgium and the Netherlands, at Brussels, which provides that all sugar bounties now paid on sugar by any of the governments named shall be abolished from and after September 1, 1903, and that after said date the difference between the tariff and the internal revenue on sugar in the respective countries shall not be more than six francs per 100 kilo."

"This provision has already been ratified by the German Reichstag and the Belgian legislature, and is expected to pass the legislative bodies of Austria, France and the Netherlands during this or next month. There is no doubt that this convention will go into force on September 1, next, and to show what an important bearing it is bound to have on the price of sugar in the world's markets, I will give as an illustration the condition under which German beet growers are working at present, and how they will be affected by the enforcement of the Brussels convention. The tariff on sugar in Germany amounts at present to about \$86 per ton of 2,000 pounds English, and the internal revenue collected by the government on all sugars sold for consumption in Germany to about \$43 per ton; figuring the actual cost of refined sugars at about \$50 per ton, sugar can be sold in Germany at \$136 per ton before any foreign competition may be feared. To get the full benefit of these conditions, the so-called Sugar Cartel was formed some years ago. This is a combination of all the sugar manufacturers in Germany, formed with the object of keeping the price for domestic sales as high as possible, for the purpose of realizing the above profit on such sales of about \$43 per ton of 2,000. Accepting the annual German sugar consumption at, say 800,000 tons of 2,000 pounds each, this means a profit of about \$34,400,000. The bounty paid at present amounts to about \$5.50 per ton of 2,000 pounds English, which, allowed on about 1,200,000 tons of sugar exported from Germany, amounts to \$6,600,000 per annum, or a grand total of \$41,000,000 protection secured to the sugar manufacturers by government legislation."

"Under the terms of the Brussels convention all bounties will be abolished; furthermore, the German tariff on sugars will be about \$40.30 per ton of 2,000 pounds, and the internal revenue about \$30 per ton, thus granting the sugar manufacturers a protection of only about \$10.30 for sugar sold in Germany, or \$32.70 per ton less than formerly, in addition to the loss of bounty, or \$8,240,000 per annum instead of \$41,000,000 formerly received. The high protection at present enjoyed by the German sugar manufacturers enables them, of course, to sell their sugar in the London market below cost, as has now been the case during the last twelve months. The changed conditions under the Brussels convention will, however, not allow them to continue this practice without ruinous re-

BOYD RETURNS TO ANSWER CHARGES

Explains the Three Thousand Dollar Transaction With T. H. Davies & Co.

James H. Boyd, superintendent of public works, returned on the Sierra from San Francisco yesterday. In a conference with Governor Dole and Secretary Cooper, Mr. Boyd agreed that the latter should continue in charge of his office for the present and until Colonel Boyd explains the charges which he expects will be made against his administration of the office of Superintendent of the department of public works.

In addition to the \$3,000 Davies transaction, Mr. Boyd has been asked to explain other details in connection with his office, all of which he has promised to do. A partial explanation was made yesterday, and this is to be followed up by detailed examination of the books by Mr. Boyd and Mr. Cooper together.

In an interview Superintendent Boyd stated that the \$3,000 he received from Davies & Company is on special deposit with him, and he announces his readiness to turn it over to the Hilo road board whenever required.

The following letters, sent to Superintendent Boyd and Secretary Cooper, were given out by Governor Dole yesterday, and explain the present status of the matter, officially:

Oct. 1st, 1902.
Mr. James H. Boyd, Care of Mrs. W. L. Grieve, Oakland, Calif.

Sir:—It is necessary that you should return to Honolulu by the first opportunity. Please observe this request.

Very respectfully,
SANFORD B. DOLE,
Governor T. H.

Oct. 21st, 1902.
Mr. Henry E. Cooper.

Sir:—Referring to my letter of October 1st, requesting "you to assume and discharge the duties and exercise the powers of the Superintendent of Public Works, as my agent and personal representative during my pleasure and the absence of Mr. James H. Boyd from the Territory," I now request you to continue to exercise such authority and discharge such duties until further notice, even though Mr. James H. Boyd shall in the meantime return to the Territory.

Very respectfully,
SANFORD B. DOLE.

Oct. 21st, 1902.
Mr. James H. Boyd, Superintendent of Public Works, Honolulu, T. H.

Sir:—During your absence from the Territory matters have come to light in the Department of Public Works which in connection with the absence of the Treasurer, who was deputed by you to attend to your official duties made it necessary for me to take charge of the work of the Department. I have placed Mr. Henry E. Cooper in charge as my agent and personal representative to exercise the powers and discharge the duties of the position of Superintendent of Public Works and have instituted an investigation of the accounts of the Department, which investigation is not yet completed and which has developed some matters affecting your management of the office requiring an explanation from you.

(Continued on Page 6)



J. F. Hackfeld, who returned from a six months' absence on the Sierra yesterday, and has some interesting things to say concerning the sugar situation.

lished; furthermore, the German tariff on sugars will be about \$40.30 per ton of 2,000 pounds, and the internal revenue about \$30 per ton, thus granting the sugar manufacturers a protection of only about \$10.30 for sugar sold in Germany, or \$32.70 per ton less than formerly, in addition to the loss of bounty, or \$8,240,000 per annum instead of \$41,000,000 formerly received. The high protection at present enjoyed by the German sugar manufacturers enables them, of course, to sell their sugar in the London market below cost, as has now been the case during the last twelve months. The changed conditions under the Brussels convention will, however, not allow them to continue this practice without ruinous re-

M'DUFFIE IS TO RETURN

Special Officer Found No Trace of Wright.

Unless Special Officer Arthur McDuffie obtains a clue as to the whereabouts of absconder William H. Wright, a couple of days after the arrival of the Miowera at Vancouver or the freighter Nevada in Honolulu he will return to Honolulu without wasting more time there. High Sheriff Brown yesterday decided to send a letter to McDuffie by the first mail to the coast, either by the Miowera or by the Nevada, requesting him to return here at the earliest opportunity.

I request and require you to abstain for the time being from all interference with Mr. Cooper in his exercise of such authority and desire you to meet me at the executive chambers as soon as may be, that you may hear the matters referred to affecting your administration of the office, and requiring explanation, as aforesaid.

Very respectfully,
SANFORD B. DOLE.

"The status of these letters continues for the present," said Governor Dole yesterday afternoon, after his talk with Superintendent Boyd. "Mr. Boyd was here today and made some explanations."

"Were the explanations satisfactory?" the governor was asked.

"I do not wish to say anything further at present. There will be more within a day or two, when Mr. Boyd promises to make his explanations in detail, and more explicit. For the present, Mr. Cooper will continue in charge of the office."

Secretary Cooper had nothing to add to the statement of the executive. He said he was still in charge of the office, acting under the instructions of the governor. "I expect Mr. Boyd down tomorrow to go over the books and accounts," said Mr. Cooper. "As to any explanations made at the conference, you must see the governor. I do not think it should be given out."

McDuffie's presumption is that Wright had fled to Mexico.

Under the head of Suffering in Hawaii, the New York Sun publishes the following dispatch:

SAN JUAN, P. R., Oct. 5.—The News has received a communication from Honolulu, signed by 500 Porto Ricans, who emigrated in 1891 to work on sugar plantations, begging for relief. They say that they are subjected to great cruelties. They do not get sufficient food, are whipped by overseers, and live like beasts.

When sick they are not sent to the hospital unless they pay for treatment.

If they do not have the money for the hospital expenses they must go to prison for treatment, and then they are kept as prisoners for three months, being registered as having committed petit larceny. The signers add that complaints are useless as the people and the authorities are indifferent to their sufferings.

The communication has caused much indignation here. Mr. Degetau, the Porto Rican Commissioner at Washington, will ask the American government to send a commission to Hawaii to investigate the condition of the Porto Ricans there.

British Cable Coming.

WELLINGTON, New Zealand, Oct. 15.—Acting Premier Sir J. G. Ward has confirmed the report that the plan of the New Zealand government for a submarine cable from Honolulu to Fanning island has been practically accepted.

SORE AND SWOLLEN JOINTS, sharp, shooting pains, torturing muscles, no rest, no sleep—that means rheumatism. It is a stubborn disease to fight, but Chamberlain's Pain Balm has conquered it thousands of times. One application gives relief. Try it. All dealers and druggists sell it. Benson, Smith & Co., Ltd., agents for Hawaii.

There is Happiness in Vigorous Health

Don't you want to feel the glow of new-born life in your blood and nerves, to feel the bubbling spirit of youth again? Don't you want to have a strong heart, courage, nerves of steel, self-confidence, strength, ardor, energy, grit and endurance? Don't you want to be rid of the "come and go" pains, the Rheumatism, Dyspepsia, Varicose, Weak Back and the many other troubles that make life miserable? Then try

Dr. McLaughlin's Electric Bell

It gives lasting strength. Its cures are permanent, forever. Its touch is the touch of magnetism; it creates in a weakened body new life, strength, energy, courage, happiness and long life. It is Nature's Greatest Restorer, applied gently while you sleep. It will transform your weakened, pain-racked body into a paradise of health. Try it, you weak, debilitated man, you poor, weary and disheartened woman; feel the life blood warming your heart, the fire in your blood and the steel in your nerves. Let it cure you.

THE BEST ARGUMENT WHICH CAN BE OFFERED IN PRAISE OF A CURATIVE REMEDY IS THE WORD OF ONE WHO HAS TRIED IT AND SAYS, "IT CURED ME." HERE IS ONE OF 50,000 AND THE EVIDENCE OF THE OTHERS IS ON FILE AT MY OFFICE FOR ALL WHO ARE INTERESTED.

FREE TEST—I will be glad to give you a free test if you will call. Or I will send you my little book, with full information, sealed, free, if you will send this ad.

Dr. M. E. McLaughlin, 908 Market Street, San Francisco, California.

Never sold by Agents or Drug Stores.

Such a Comfort to You

if you are raising chickens, to have an Incubator that you can absolutely depend upon. One that is self regulating and which will stay at the same temperature all day and all night, without being watched

Cyphers Incubators

do this. All you have to do is to fill the lamp and trim the wick once a day. No work, big hatches, strong chicks—if you use a Cyphers. For sale by

E. O. HALL & SON, Ltd.
CORNER FORT AND KING STREETS.

Pure Brewing Methods

Are found at the Honolulu Brewery. There's new vigor and strength in every drop of

Primo Lager

Not a bit of harm in a barrel. Order a case from the Brewery for home use. Telephone Main 341.

Twine and Fish Line

SPECIAL IMPORTATION
DIRECT FROM FACTORY

IN THE NUTMEG STATE

A Full Line of Bag Twine

Fish Hooks

All Sizes, Tinned and Japanned. See Our Window.

Pacific Hardware Co., Ltd.
Fort Street, Corner Merchant Street.

Hawaiian Gazette.

Entered at the Postoffice of Honolulu,
H. T., Second-class Matter.

SEMI-WEEKLY

SALE TUESDAYS AND FRIDAYS.

WALTER G. SMITH, EDITOR.

SUBSCRIPTION RATES:

Per Month \$1.00
Per Month, Foreign 75
Per Year 6.00
Per Year, Foreign 6.00

—Payable invariably in Advance.

A. W. PEARSON

Manager

FRIDAY

OCTOBER 24

THE HOME RULE LEGISLATURE.

The Home Rulers, in trying to apologize for the Legislature, say that they are thwarted by the Governor. It is an example of the fact that a poor excuse is better than none. Assuredly the Governor did not compel the legislators to withhold the money needed to carry out their own appropriation bills nor did he inspire them to spend three days wrangling over the spelling of the word "forty" or a week in debating the merits of a dog bill. When they took time needed for law-making in trying to get a private rebate from printing offices on jobs for the House and Senate and in seeking a subsidy for Wilcox, they did not visit the Governor with any responsibility for their acts. On the forty-third day of the session they had sent but seven bills to the Governor and some of these were glaringly unconstitutional. But during that time they had wasted a week denying the right of the Governor to sign his name without his title and in denying the right of Secretary Cooper even to sit among the legislative spectators. If there was any working time left over it was used in debating Mahoe's bill to fix the price of fish at ten cents a pound, in getting beanie lunches at Nolte's and in trying to repeal Federal laws. The Home Rule members, though having a two-thirds majority in the House and all but a two-thirds majority in the Senate, were everlasting jabbering over something they did not understand or resting between heats. They were "long" on killing time. They eschewed evening session until the very last and shirked duty on Saturdays; and were always ready to take a few hours off for a luau or a drink, or a chat with Col. Mazuma. What part did the Governor have in that except to urge diligence in passing reasonable bills? All the thwarting he did was directed against follies or crimes.

The truth is that the Home Rulers deliberately wasted the first sixty days and the additional thirty days of the session in the hope that their neglect to pass revenue and other needed bills would compel the Executive to call an extra session of sixty days more. They wanted further time for the sake of the salaries and the perquisites. The ninety-day vaudeville cost the taxpayers \$1000 per day; and a sixty day vaudeville would have netted the legislators \$60,000 more. The Governor balked at the \$60,000 demand, all honor to him, but that did not make him responsible for the fact that the people of the Territory got practically nothing back from the outlay of \$90,000.

The net result to the business interests of the legislative failure was a lowering of financial confidence and a touch of hard times. Money was shy of a Territory where the law-making processes were in the hands of knaves and incapables; and it always will be shy under similar conditions. The legislative ticket of the Home Rule party this year is practically what it was two years ago and if it wins the history of the House and Senate in 1902 will repeat itself. The only way out is by the election of the Republican ticket.

WILCOX AND THE LEPROS.

There are over twelve hundred lepers in Louisiana alone and yet Wilcox says that the success of his bill would only bring three hundred alien lepers to Molokai, that being, in his opinion, the extent of the leper population of the United States.

In the old Northwest, where so many Scandinavians live, the leper population is believed to exceed the Wilcox estimate for the whole country.

If Molokai should go into Federal hands the chances are almost certain that every American leper would be deported there and the restraint put upon the white and native inmates would be marked by the rigid discipline of a military prison.

As to the segregation of the sexes, that, as Senator Burton says, would come as a matter of course. Even if Wilcox opposed this measure, WHICH HE DID NOT DO WHEN THE COMMISSION WAS HERE, Congress would follow its own judgment about it and segregate as a matter of course.

Just now Wilcox is trying to allay the discontent of the lepers with soft words but he is careful not to pledge himself in writing to drop the Federal leper bill altogether.

AS TO McCARTHY.

C. J. McCarthy, candidate for the Legislature on the Home Rule ticket, yesterday denied that he had ever intimated in a speech that Gov. Dole and his administration were trying to exterminate the Hawaiians. The information came from a trustworthy Hawaiian who said he had heard the speech.

Col. McCarthy it was who last August at Waverley Hall declared the time had come for all business men to combine against Wilcox in the interest of the business community, and who now, on the Wilcox ticket, is landing the head of the ticket while appealing for votes for himself as member of the Legislature.

Even if Col. McCarthy occasionally remembers to forget what he said in an incendiary speech, about people on the other side, he certainly forgets to remember his previous views about his own people.

McCarthy is a pretty good man for Democrats and some Rulers as well as Republicans to vote against.

Hawaii has been visited by a Pettigrew before, but it is not on record that he did it any harm.

SUGAR CONSUMPTION.

The people of the United States now consume eight times as much sugar per capita as they did in the first quarter of the last century, four times as much as the average per capita during the decade ending with 1850, and twice as much as they did in any year prior to 1850. In the years immediately prior to 1850 the average consumption of sugar was about eight pounds per capita, in the decade 1840-50, about ten pounds per capita, in the years immediately prior to 1870 the average was about twenty-two pounds per capita, omitting the war years, in which the consumption was light, from 1850 to 1880 it averaged about forty pounds per capita, from 1880 to 1890 fifty pounds per capita; in 1891 the figure was sixty-six pounds per capita, and has ranged from sixty-two to sixty-eight pounds per capita since that time, the figure for 1901 being sixty-eight and four-tenths pounds. This steady growth in the per capita consumption of sugar is shown by some figures which the Bureau of Statistics will present in the next issue of its annual volume, the Statistical Abstract. The per capita consumption has been a matter of record during recent years, but it has not been before practicable to compare the per capita consumption of recent years with that of earlier years and to note the very rapid increase in the quantity consumed by each individual of the country.

This growth in the consumption of sugar is, evidently, not confined to the people of the United States. The increase seems to have been equally rapid in other parts of the world, judging from the figures of total production. Figures recently published by the Bureau of Statistics in its monograph, "The World's Sugar Production and Consumption," showed that the sugar production of the world was eight times as great in 1900 as in 1840, the figure for 1840 being 1,150,000 tons and for 1900, 8,800,000 tons. This increase in production, and consequently in consumption, has come largely through the development of the beet sugar industry, which increased from a production of 50,000 tons in 1840 to 200,000 tons in 1850, 831,000 tons in 1870, 1,402,000 tons in 1880, 3,633,000 tons in 1890, and 5,550,000 tons in 1900. During the same time, cane sugar production increased from 1,100,000 tons in 1840 to 2,850,000 tons in 1900. Beets in 1840 supplied 4.35 per cent. of the total sugar product of the world; in 1850, they supplied 14.29 per cent.; in 1860, 20.43 per cent.; in 1870, 34.46 per cent.; in 1880, 63.79 per cent., and in 1900, 67.71 per cent.

The per capita consumption of sugar in the United States is greater than that of any other country, except the United Kingdom, in which the annual consumption ranges from eighty-five to ninety-one pounds per capita, against from sixty to sixty-eight pounds in the United States, the figure of consumption for 1900 in the United Kingdom being 91.6 pounds per capita.

The following table shows the per capita consumption of sugar in the United States and the principal European countries in 1900, the latest available year:

Sugar Consumption Countries.	Per Capita. Pounds.	San Francisco, Oct. 16, 1902.
United Kingdom	91.6	Messrs. F. A. Schaefer & Co., Honolulu, H. T.
United States	65.2	Dear Sirs—We last addressed you on the 15th inst.
Switzerland	60.3	Sugar—We have received the following telegram from New York, dated October 15th:
Denmark	54.8	"No sales. Granulated unchanged. Beets. 7-24."
Sweden and Norway	38.2	Basis for 96 degrees Centrifugals in New York therefore remains at 3.56¢; San Francisco, 3.12¢.
France	37.0	Yours faithfully,
Germany	33.9	WILLIAMS, DIMOND & CO.
Netherlands	32.5	•••
Belgium	23.3	
Austria-Hungary	17.6	
Portugal and Madeira	14.7	
Russia	14.0	
Spain	10.6	
Turkey	8.0	
Roumania	7.8	
Greece	7.2	
Italy	6.1	

Mr. Boyd has returned and his statements in answer to the questions propounded by the Governor, are awaited with interest by the island public. So far he has said nothing definite to the press except that he will account for every cent of the Davies fund. As to other matters which the Governor has brought to his attention, Mr. Boyd withholds comment. Probably, in the course of a few days, he will have something to say. In the meantime his office will remain in charge of Secretary Cooper.

The evidence is strong that the B. H. Wright envelope contains a great many I.O.U.'s given by Home Rulers who got money for campaign expenses. If those who gave out the money will protect Mr. Wright by their testimony when the case comes to trial, the I.O.U.'s will never see the light; if not they will be spread on the records of the court. The envelope and its contents are now, or were recently, in the possession of his lawyers and have been shown to two or three people.

There seems to be no doubt that a loop of the British cable will be brought to Honolulu. The acting premier of New Zealand states that the plan has been practically accepted. It will not be long, therefore, before Honolulu will be in telegraphic touch with the United States, Canada, Australia and with Asia through the Philippines. After the famine will come the feast.

By straining a point about ball Judge Gear permitted George Davis' client, B. H. Wright, to go free. This was precisely what was to be expected of Gear, but in this instance the Success to Crime Jurist reckoned without his host. A new charge of embezzlement was promptly filed and Wright will be arraigned on it in Judge Wilcox's court this morning.

Senator Mitchell as chairman of the visiting commission probably knows who sent it here, Wilcox to the contrary notwithstanding. Wilcox may have wanted a commission, but his influence in the Senate was even less than it was in the House where it amounted to a cipher and a bad smell.

Col. McCarthy made another speech last night in which he attacked the "Dole oligarchy." It is the same oligarchy that Milligan McCarthy took an oath to support and has been carrying a sword for these many years? If so isn't he rather late in breaking away from it?

Col. McCarthy is a pretty good man for Democrats and some Rulers as well as Republicans to vote against.

Hawaii has been visited by a Pettigrew before, but it is not on record that he did it any harm.

PEACE WITH HONOR.

The hope of the mainland Democrats is that the coal strike would go on until after election and so make effective the "empty coal scuttle" issue, which has been dashed by the success of the President's negotiations. The great strike has now been practically confined to terms that are satisfactory to both sides. The production of coal has doubled by this time been resumed and as retail prices fell in anticipation of it the suffering of the people has been somewhat relieved. Happily no coal snap occurred up to the 16th of October when our advices closed, to cause any extraordinary draft upon the limited supply of coal remaining.

The President must have gained great prestige by his part in the negotiation. Though an invalid under the surgeon's knife, he has applied himself in a characteristic way to a solution of the trouble. What seemed to be an irreconcilable conflict he has easily assuaged and what the Democrats exultantly called an impasse between capital and labor, he has levied by his diplomacy. The simplicity of it all evoked surprised comment in Europe; the immense utility of it receives general applause at home.

We may now anticipate no serious trouble in the Congressional elections. Before the strike, a Republican victory was as good as won; but when the row was at its height the loss of several Republican seats was expected by Republicans themselves. But the reaction which the President has brought about ought to restore things as they were and make a Republican victory certain at the November poll.

Little can be expected of the coast police in the matter of finding Treasurer Wright, without the stimulus of a reward. If a thousand dollars were "in it" somebody would spot Wright without much delay. Unfortunately the incidental fund, the pocket-money of the administration, does not permit of so liberal a draft.

Wilcox goes on the principle of claiming everything. He says he has got Kauai, Maui and Hawaii, notwithstanding a mountain of proof to the contrary, and in a few days he will announce that he has pocketed Molokai. There is nothing like keeping up a cheerful spirit when everything is going wrong.

The Davis contention that one-third the amount stolen should be fixed for bail, would admirably suit the man who had taken \$15,000 and is satisfied to run away with \$10,000.

Hawaii is always as fortunate in its Senatorial enemies as it is in its Senatorial friends.

SUGAR

San Francisco, Oct. 16, 1902.
Messrs. F. A. Schaefer & Co., Honolulu, H. T.
Dear Sirs—We last addressed you on the 15th inst.

Sugar—We have received the following telegram from New York, dated October 15th:

"No sales. Granulated unchanged. Beets. 7-24."

Basis for 96 degrees Centrifugals in New York therefore remains at 3.56¢; San Francisco, 3.12¢.

Yours faithfully,

WILLIAMS, DIMOND & CO.

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PREFERENTIAL COLONIAL TRADE

NEW YORK, Oct. 16.—A resolution adopted by the National Union of Conservative Associations in favor of preferential trade with the colonies is a significant political incident, cables the London correspondent of the Tribune. Sir Howard Vincent, who proposed it, is an old time protectionist, and his opposition to free trade has taken various forms. His conversion to the Canadian policy of preferential trade is not of recent date, for he supported it as long ago as 1887, when the Oxford conference was held. A representative body of delegates from Conservative Association has now accepted a resolution presented by him embodying the principle that new sources of revenue can be found by taxing articles competing with the home trade and urging the government to carry out a policy of preferential trade between all parts of the British empire. The ministers do not lack employment in defending the education bill, and are not likely to act prematurely upon Sir Howard Vincent's resolution.

We'll send you a little to try, if you like.

SCOTT & BOWNE, 409 Pearl street, New York.

•••

Auction Sale of Delinquent Sugar Stock.

ON SATURDAY, NOVEMBER, 8,

1902, at 12 o'clock noon, at my saleroom, 65 Queen street, Honolulu, I will sell at Public Auction by order of the Treasurer, Mr. Elmer E. Paxton, the following certificates of stock in the Olana Sugar Co., Ltd., unless the 22nd assessment due August 21, 1902, and delinquent October 21, 1902, with interest and advertising expenses is paid on or before the day and hour of sale at the offices of The B. F. Dillingham Co., Ltd., Stangenwald Building, Honolulu:

Certificates. Name. Number of Shares. 376—L. K. Kentwell 33

461—Wong Gow 13

529—Wong Tow 7

883—R. W. Sharpe 67

725—L. M. Baldwin 100

947—Eugene Lyman 100

1267—W. L. Howard, Trustee 10

1527—1579—1648—Mrs. M. F. Scott, 100-50-100

1909—Robert Murray 10

1935—M. F. Scott 48

1948—J. W. Givens 25

1949—Ida Givens 25

2022—H. C. Austin 10

1662—H. C. Davis 100

1269—H. Macmillan 100

Honolulu, October 22, 1902.

ELMER E. PAXTON,
Treasurer.

JAS. F. MORGAN,
AUCTIONEER.

THE NEW FRENCH REMEDY.

THERAPION. This successful

remedy, used in the continental hospitals, is now in use in Europe and is considered the best in a medicine of the kind and surpasses everything hitherto employed.

THERAPION NO. 1 maintains its world-renowned and well-merited reputation for the treatment of the kidneys, pains in the joints, gout, rheumatism, & all diseases of the joints and surpasses everything hitherto employed.

</div

WOULD SHIFT BURDEN

Defense Apparent In Tanbara Case.

The jury in the case of Tanbara-Gisaburo was sworn before ten o'clock yesterday morning and the greater part of the day was spent by the defense in an attempt to shift the responsibility for the murder of Captain Jacobsen to the shoulders of S. Oto, the Japanese cook. This was the line adopted in the cross-examination, the defense seeking to draw out admissions from the cook of a statement said to have been made in the presence of Chester Doyle, in which Tanbara was advised not to implicate Oto.

The day had quite a sensational ending, Judge Estee ordering Oto, the cook, to appear next Thursday and show cause why he should not be punished for contempt. The order was made because of Oto's refusal to answer and evasion of questions put to him both by the Court and the attorneys.

As on the preliminary examination the cook was a bad witness, and rarely answered a question directly. At times it was necessary to repeat a question half a dozen times and the witness was warned that he should be more careful. Questions were put to him by Judge Estee also, which were productive of no better results, and the Court was finally compelled to give up the examination in disgust. At the conclusion of the cross-examination Judge Estee instructed the interpreter to notify Oto "to appear one week from today to show cause why he should not be punished for contempt of court in swearing to tell the truth, the whole truth and nothing but the truth, and then refusing to answer questions and evading others; in that way obstructing the course of justice." Oto seemed not much concerned when the words of the Court were interpreted to him.

Attorney Thompson exercised his remaining four peremptory challenges yesterday morning by excusing C. A. Hall, A. W. Meyer, Ed. Towse and Richard Davenport. This left the jury which was finally sworn to try the case composed of the following men:

W. H. Wilkinson, T. H. Hughes, C. H. Brown, M. J. Bissell, E. B. Friel, J. J. MacDonald, Jonathan Shaw, W. F. Sabin, J. P. Winne, W. T. Schmidt, W. O. Atwater, L. E. C. Parish.

United States Attorney Breckons made his opening statement to the jury immediately. He first said he would prove the jurisdiction of the court by the fact that the Fred J. Wood was an American vessel and the crime was committed on the high seas. He then referred to the evidence which he said would show that the murder was committed by the defendant with a knife, which was taken from his hand by force.

H. E. Thayer, the first witness, said he was secretary of the E. K. Wood Lumber Co., which had a one-eighth interest in the Fred J. Wood, and he testified that the vessel had an American register. F. J. Church identified photographs of the vessel taken by himself, showing where the captain's body was found. Captain U. S. G. White testified as to an examination of the vessel, and Dr. Holt testified as to the wound found by him upon Captain Jacobsen's body. He said such a stab would cause instant death, and the captain could not have lived five seconds after the wound in the groin had been inflicted.

S. Oto was the first important witness. He is the Japanese cook who was accused by the cabin boy at the first hearing of being guilty of the murder. His story differed very little from that told at the first hearing. He was just as slow to answer, however, and often evaded the question entirely. He testified that the cabin boy was drunk and he had had trouble with the captain. He said that he had seen the stabbing and tried to separate the captain and the boy, though he was unable to do so, and he then called for help. On cross-examination the witness said that Gisaburo was not drunk but only sea sick. He was questioned at length by Mr. Thompson as to his trouble with the captain over the cooking, and "sawdust soup," and denied that the captain had accused him of making away with rice. Oto was questioned also as to the disposition of his shirt, the intimation being that he had thrown it away because it had blood upon it.

Concluding his cross-examination, Mr. Thompson asked regarding a conversation on the launch on the day the Wood came into port, with the murdered captain on board. Oto admitted that he had talked with Tanbara on the steamboat where there were a lot of passengers.

"Did you say to Tanbara at that time, 'When we have trial you say you kill today or tomorrow, and when I confess you go free?'" asked the attorney. Objection was made to the question as unintelligible, but the witness replied:

"I didn't say any foolish thing like that."

"Did you not say to the defendant not to talk at the trial and you would see him through?"

"I never said anything like that."

The questions put to the defendant bear upon admissions said to have been

made by him in the boat in Japan, which Chester Doyle heard.

The examination closed at four o'clock. Oto's testimony having been concluded. The government still has a number of witnesses. All the sailors and a number of officials will be called today. The prosecution may be completed tonight or tomorrow morning.

At the request of one of the jurors, Marshal Hendry was ordered to bring a harbor into the jury room at the hotel and shave all the jurors at their own expense if desired.

WORLD'S NEWS CONDENSED

Chicago's registration has decreased 62,654.

Mrs. Langtry will tour America once more.

Bob Mot was first in the Los Angeles Derby.

Forty horses were burned to death in a New York fire.

Russell Sage may retire from business owing to ill health.

A balloon car fell near Paris and the two occupants were killed.

The American Generals in England are showered with invitations.

President Palma denies that Cuba is ungrateful to the United States.

Fire destroyed the town of Klamath, Cal., the loss reaching \$600,000.

The Grand Lodge of Masons of California reports a most prosperous year.

President Roosevelt will urge provision for a permanent tariff commission.

The Transvaal promises to exceed its former gold output of \$100,000,000 per year.

Thomas J. Stewart of Pennsylvania has been chosen head of the Grand Army.

Sir John George Bourinot, clerk of the Canadian Commons for 22 years, is dead.

Richard Mansfield has made a great hit as Brutus in a revival of "Julius Caesar."

A nephew of the Duke of Portland has married a Russian emigrant in Canada.

Counterfeit American silver dollars are being made in China and circulated in Manila.

The will of the late Levi Strauss of San Francisco makes special bequests of \$1,667,500.

Jockeys Reiff and Henry have been ruled off all French tracks for alleged throwing of races.

Governor Sanguines of the northern district of Lower California has been removed from office.

The New Orleans car strike has been settled, the union agreeing to the Governor's ultimatum.

President Roosevelt took a long drive in Washington on Oct. 12. His condition is satisfactory.

Generals Corbin, Young and Wood have visited and inspected the British army camp at Aldershot.

Ex-President Cleveland declares that a revision of the tariff is the best campaign cry for democracy.

An alleged child of Charles Fair has turned up at San Francisco and there may be a long litigation.

Commander W. E. Sewell has been ordered to proceed to Guam to relieve Schroeder as commandant.

New England men have formed the Chartered Company of Lower California with \$10,000,000 capital.

Anti-Semites caused trouble in an Austrian town during election and the troops were called to quell the riot.

The attempt of the Pressmen's Union to prevent the issue of the November magazines in New York has failed.

The Colombian revolutionist gunboat Padilla is at Punta Arenas looking for the new government cruiser Bogota.

An oil company, with Mr. Cudahy at the head, will spend \$2,000,000 in developing two leased sections of Oklahoma.

A box containing \$50,000 was stolen from the strong room of the steamer Zafiro between Hongkong and Manila.

Colombian revolutionists were routed by the Government forces at La Cenaga and Uribe-Uribi was driven back.

Rev. Chas. H. Robinson has been appointed Dean of Westminster in succession to Rev. Granville Bradley, resigned.

Congressman Littlefield of Maine is meeting with much enthusiasm in the meetings he is holding throughout California.

Emperor William has bestowed the decoration of the Prussian Royal Order of the Crown on Sverdrup, the Arctic explorer.

The Macedonian insurrection is growing, and Gen. Zontaff, president of the Macedonian Committee, has escaped from prison.

Fred Goodall, R. A., the artist, is dangerously ill and his effects are to be sold at auction.

M. d'Ormescheville, who was the prosecuting counsel at the first trial of Dreyfus, has been relieved of his functions with the army.

Count Esterhazy's retirement from the Order of Jesuits was occasioned by a love affair with a French woman whom he has since married.

The Sultan of Bacolod, Mindanao, has rejected the friendly overtures of Gen. Sumner in a defiant letter. He desires war forthwith.

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The Arbitration Court in the Pious fund, at the Hague, has decided that Mexico must pay the United States \$1,460,682 and \$43,650 each year.

President Castro of Venezuela is in the field and the seat of government is on wheels, no one knows where. A victory over revolutionists is reported.

The Warner Ranch Indians in Southern California, who were once looked after spiritually by Bishop Bestwick, are to be moved to a new location.

Siang's crown prince is being entertained in Washington. A banquet was given for him by the Siamese minister at which Secretaries Hay and Root were present.

CATARH IS ALWAYS THE RESULT of a neglected cold. Chamberlain's Cough Remedy will not cure catarh, but will cure the cold and so prevent that disagreeable malady. This remedy not only relieves the local irritation of the throat and lungs, but removes the causes of the diseased condition. It leaves the system in a natural and healthy condition. It always cures and cures quickly. All dealers and druggists sell it. Benson, Smith & Co., Ltd., agents for Hawaii.

NOVEL KIND OF FEASTS

Happy-go Lucky South Sea Islanders at Kalihia Detention

Camp.

A happy crowd of people constituting the South Sea Islanders colony occupy one portion of the Kalihia Detention Camp, and they have recently inaugurated a novel way of getting up what they call a feast. These feasts are held once a week and at times as many as sixty or seventy people, South Sea Islanders and native Hawaiians, attend them. The feast starts in the open air at about three o'clock every Saturday afternoon, and keeps up in varying ways until Monday morning, when the feasters return to their work of fishing and making hats.

Out at the island camp they live in quite a happy-go-lucky manner. They have good buildings to preserve them from the elements but the rooms contain little or no furniture. Numbers of people of both sexes live in the same room, sleep on mats, and in some cases on bare boards. The men of the camp spend their time fishing. Basket traps, three or four feet in length and a couple of feet in diameter, having a small opening for the fish to enter and arranged in such a way that once in a fish cannot get out again, are used by the fishermen. Numbers of these are placed in the shallow sea water near the camp, and allowed to rest there until fish are entrapped. Then the islanders put their catch in smaller baskets and sell them to Chinese fishermen who work the fish ponds out that way. Through the Chinese the fish reach the Honolulu market. The South Sea men get considerable money in this way. They buy but little clothing, purchase but few provisions, live on fish, and spend the greater portion of their earnings on beer and gin. But each man manages to keep a dollar in his possession until the end of the week, when he throws it into the feast pool to be used in buying beer and gin and other things for the gathering.

The women carry out the same system as the men. They spend all of their time, when not sleeping, in making hats. These hats are sent to Honolulu on Saturday mornings, and peddled about from house to house. They bring anywhere from twenty-five to seventy-five cents each. The agent, usually a native, who sells them must have a little profit, and the rest goes to the hat-makers, who spend a portion of it for cheap livery and the remainder of it for "boozes." The women also have to have a dollar at the end of the week, or they will not be allowed to participate in the feast.

As from fifty to seventy-five dollars are collected for these feasts one can easily imagine the large quantity of "wet goods" that the party gets.

Old and young gather around the feasting resort and there is considerable fun during the earlier part of the proceedings. A reporter chanced to come upon one of these parties at the detention camp. Everyone looked on in surprise when he approached and seemed to be offended at his presence.

"You want buy hat?" queried one old woman.

"No, I want feast," answered the reporter.

A young girl giggled but was promptly suppressed by an old man who sat beside her.

"You got five dollars?" asked a white-haired old man, who seemed to be the leader of the party.

"No," said the reporter.

"Well, we say you much better go way."

The reporter did as he was bid, and was followed a few steps by a number of dogs that had been loafing around the feast waiting for bones that the feast threw away from time to time.

But despite their feasts and drinking these natives give but little trouble. As fast as a feaster becomes too drunk to continue at the affair others drag him away to a quiet place where he can sleep off the results of his carousal.

On the following day he can be seen drinking huge quantities of water and slowly moving off in a suave manner toward the fishing traps.

IN THE MATTER OF FORESTRY

BOARD OF EDUCATION

Changes Are Made in the Teaching Corps.

It was weird, and the weird of it was that the sunlight darts in the water could be seen from the ship for a long time after we sailed away from it. After that I always made sure that there were enough pieces of iron in my sword to properly weight a body in case we were so unfortunate as to have another death.

LEPROSY IN INDIA

Locate the Germ But Find No Remedy.

(Continued from Page 1.)

meetings as far as Waikiki. They report that there is growing enthusiasm among the Hawaiian Republicans, and an opening of the eyes of those who are Home Rulers. There will be a largely increased vote in every precinct clear down to Hale, and the chances are that the Republicans, instead of being in a great minority, as they were two years ago, will split the vote evenly, or even have slight majorities everywhere.

HE VOTED FOR LINCOLN.

Mr. Louis Beilke, who lives in Nauau valley, voted for Lincoln in 1860. At the time he lived in Phoenixtown, Oregon, ten miles from Jacksonville. Mr. Beilke puts in his claim as one of the oldest voters in Hawaii.

WAIKIKI VOTERS GATHER.

More than 100 voters gathered at Kauai's at Waikiki to listen to Republican orators, and the interest shown in the meeting was so strong in contrast to the meeting of Monday evening that the workers were greatly encouraged by the enthusiasm displayed.

Before the meeting was called to order the quintette club of the Young Men's Republican Club entertained the audience with songs, among them being the one written by a blind leper girl, which praises the Prince and the Republican party, as opposed to Wilcox.

The last census shows that there are about 400,000 lepers in India. In the district where I live there are about 40 to each 1000 inhabitants. In some of the other districts, the proportion is much smaller.

"I now have about 100 patients, men and women, and a few children, in my compound. We have three Europeans now, one having died since I have been in America. He was a colleague of Mr. Foote, while he was in India ten years ago. He was at the asylum about four years."

"What is the average life of lepers after they contract the disease?"

AVERAGE LIFE OF THE LEPER.

"It differs with the kind of leprosy, of which there are two varieties. In one variety the disease attacks the arms and legs. The hands and arms, and also the feet and portions of the legs, have absolutely no feeling. Sufferers from this kind often live from 30 to 40 years. The other variety attacks the lungs. In these cases the lease of life is not usually over 10 years."

"What is the cause of leprosy?"

"We do not know; we have been seeking the cause. We have found the germ, but as yet have not been able to cultivate it. Neither have we found a germicide. The natives all go barefoot, and it is sometimes thought that the disease is contracted in the same manner as the bubonic plague, through the soles of the feet. Of this I have great doubt, as I have had charge of lepers for 20 years, have handled them, and am operating all the time when I am at home, removing pieces of bone and performing other necessary operations. To be sure, of late years since I have a family and I have had some precautions, such as washing my hands with disinfectants after operations, but I never have had the slightest symptoms. For this and other reasons I do not think that the germ enters the system through the skin. It seems to attack only people who are inclined to tuberculosis, but we have been unable, after long years of investigation, to ascertain the cause."

"Is your family with you at this present settlement?" was asked.

"Certainly. Three of my children were born in the compound, not 300 feet from the leper house, and none of my family has ever had the slightest symptom of the disease, nor do I expect that either my or myself will ever have."

"Then this idea of a leper nurse bidding goodby to the world is erroneous."

LEPER NURSE NEEDN'T BID

INSURANCE

Theo. H. Davies & Co.
(Limited.)
AGENTS FOR FIRE, LIFE AND
MARINE INSURANCE.

Northern Assurance Company
OF LONDON, FOR FIRE AND
LIFE. Established 1856.
Accumulated Funds £1,975,000.

British and Foreign Marine Ins. Co.
OF LIVERPOOL, FOR MARINE
Capital £1,000,000
Reduction of Rates.
Immediate Payment of Claims.

THEO. H. DAVIES & CO., LTD.
AGENTS.

IMPERIAL LIME

99 15-100 Per Cent Pure.

The very best Lime and in the
best containers.

In Lots to Suit.
Low Prices.

CALIFORNIA FEED Co.
AGENTS.

Olaa Sugar Co., Ltd.
ASSESSMENTS.

The twenty-fourth and final assessment
of 10% or two dollars (\$2.00) per
share has been called to be due and
payable December 20, 1902.

Interest will be charged on assessments
upward ten days after the same
are due at the rate of one per cent (1%)
per month from the date upon which
such assessments are due.

The above assessments will be payable
at the office of The B. F. Dillingham Co., Ltd., Stangenwald building.
(Signed) ELMER E. PAXTON,
Treasurer Olaa Sugar Co.

May 12, 1902. 2333

Clarke's
Blood
Mixture

THE WORLD-FAMED BLOOD PURIFIER AND RESTORER,
IS WARRANTED TO CLEAR THE BLOOD from all impurities, from
whatever cause arising.

For Scurvy, Exema, Skin Diseases, Headaches, Pimples &c.
Scars of all kinds, it is a never failing permanent cure. It

Cures Old Sores.
Cures Sores on the Neck.
Cures Sores on the Legs.
Cures Blackhead or Pimples on the Face.

Cures Scurvy.
Cures Ulcers.
Cures Skin Diseases.

Cures Glandular Swelling.

Clears the Blood from all impure matter.
From whatever cause arising.

It is a real specific for Gout and Rheumatic pains.

It removes the cause from the Blood and Bones.

As this Mixture is pleasant to the taste and warranted free from anything injurious to the most delicate constitution, either sex, the Proprietors solicit sufferers to give it a trial to test its value.

THOUSANDS OF TESTIMONIALS OF WOMEN
DERFUL CURES

FROM ALL PARTS OF THE WORLD.

Clarke's Blood Mixture is sold in bottles
as 1d each, and in cans containing 12
times the quantity, 1s—sufficient to last
a permanent cure in the great majority
of long-standing cases—BY ALL CHEMISTS
IN THE UNITED KINGDOM AND
OVERSEAS throughout the world. Proprietors
THE LINCOLN AND MIDLAND COUPLES
DRUG COMPANY, Lincoln, Eng.

Trade mark—“BLOOD MIXTURE”

CLARKE'S BLOOD MIXTURE.

CAUTION—Purchasers of Clarke's
Blood Mixture should see that
they get the genuine article. Worthless
imitations and substitutes are sometimes
passed off as superior to the genuine article.
“Lincoln and Midland Couples
Drug Company, Lincoln, Eng.” are
engraved on the Government stamp, and
“The World-Famed Blood Mixture
shown in the bottle.” **NOTWITHSTANDING WHICH
NONE ARE GENUINE.**

CASTLE & COOKE CO., LTD.
MONOLULU.

Commission Merchant.

SUGAR FACTORS.

AGENTS FOR
The S. S. Plantation Company.
The Wailuku Agricultural Co., Ltd.
The Kohala Sugar Company.
The Waialua Sugar Mill Company.
The Fulton Iron Works, St. Louis.
The Standard Oil Company.
The George F. Blake Steam Pump.
Weston's Centrifugal.
The New England Mutual Life Insurance
Company, of Boston.
The Astoria Fire Insurance Company, of
Norfolk, Conn.
The Williams Assurance Company, of

A tornado which passed over Quincy,
Illinois, did great damage, wrecking
buildings, damaging crops and killing
several men. There was also a terrible
hail storm in St. Louis.

The Geological Survey says the outer
claims in Death Valley are valuable.

COAL STRIKE
ABOUT OVERImportant Words
of President
Mitchell.

NEW YORK, October 16.—A dispatch
to the World from Wilkesbarre, Pa.,
says:

President Mitchell of the United Mine
Workers' Union, made the following
announcement early today:

“I have received a telegram from
President Roosevelt advising me of the
appointment of his arbitration commis-
sion. The convention of miners can be
held on Saturday at the latest and can
decide to resume work on Monday.”

One of the district presidents said:

“The strike is as good as called off
already. The convention will accept
Mr. Mitchell's recommendations and
will call off the strike.”

President Mitchell was in conference
after 3 o'clock with National Secretary
Wilson and District Presidents Nicholls
and Fahey regarding his visit to the
President.

After announcing the receipt of Presi-
dent Roosevelt's message giving the
names of the arbitration commissioners,
Mr. Mitchell was asked “Is it time now
to offer congratulations?”

“If you think we deserve it,” he said.
“And now I am going to bed.”

THE FUEL SITUATION.

NEW YORK, October 16.—The fuel
situation continues exceedingly trou-
blesome in all parts of the country, not
alone in its direct effect upon manufac-
turing operations, but also in its ad-
verse moral effect upon business gen-
erally, says the Iron Age. In the Central
West deliveries of coke are very
unsatisfactory. From the Lehigh Val-
ley comes the report that furnaces are
now getting a little anthracite but the
opinion prevails that in the most favor-
able case the manufacturing industries
will not be taken care of until the
domestic requirements are fairly well pro-
vided for. Fancy prices are being paid
for coke for prompt delivery, and \$4 and
upward has been paid for blast furnace
coke well into next year, some furnace-
men covering on sales for distant de-
livery of pig.

But what, after all, most interests
those who are consumers of coke is
prices for next year. As yet this matter
has not been settled, although the
feeling is that an advance of \$1 to \$2.25
at oven Connellsdale, seems certain, if,
in fact, it is not considerably higher. It
is understood that a sale of Bessemer
pig iron for the second and third quarters
of 1903, involving several hundred
thousand tons, is kept pending until the
question of coke prices is settled.

COAL PRICES DECLINING.

NEW YORK, October 16.—Coal dealers,
who have been speculating in car-
goes of soft coal for future delivery, are
reported as most panic stricken over
the outlook for speedy resumption in
the anthracite fields and a number of
large lots have been dumped upon the
market. Prices for bituminous have de-
clined from around \$10 to \$5.50 a ton.
Domestic sizes of anthracite still bring
\$18 to \$20.

MEXICO PAYS
THE PIUS FUND

WASHINGTON, October 16.—The
State Department has given out the
following statement in response to a
telegram received from Mr. J. H. Rail-
ston, United States agent at The Hague
in reference to the Pius Fund:

The opinion of the permanent Court
of Arbitration declares that all parts of
the judgment of the umpire of the mixed
claims commission in 1875 concerning
the debated points, explain and serve
to render precise the sense and bearing
of the decisory part and determine the
points res judicata; that this rule ap-
plies not only to ordinary tribunals but
to arbitral sentences and to interna-
tional arbitrations; that the convention
of 1868 between the United States and
Mexico accorded to the mixed claims
commission and their umpire the right
to determine their own jurisdiction; that
there is identity of parties and sub-
ject matter in the present controversy
and the arbitral sentence rendered
in 1875; that Mexico conscientiously
executed the former sentence; that it is
in arrears for thirty-three annual in-
stallments since accrued; that the law
of prescription cannot be applied to the
present conflict; that the money in
which payment of the annuity should
be made in the absence of express stipu-
lation must be that having currency in
Mexico; that upon this point the former
sentence, relating to execution and not
to the basis to the right in litigation,
had not the force of res judicata except
for a term to which it had reference.

The permanent court decided that
the present claim was determined by
the principle of res judicata; that con-
formably to the former sentence there
should be paid by Mexico the sum de-
manded by the United States, \$1,420,
682.67 in Mexican currency within the
ensuing eight months; and further that
Mexico should pay to the United States
on February 2, 1903, and each following
year the sum of \$42,664.29 in Mexican
currency. The contention of the United
States was sustained in every partic-
ular except that permission is virtually
given to Mexico to pay in silver.”

“The weight of authority is simply
overwhelming that the jurisdiction
may and should be exercised either on
behalf of a numerous body of separate
claimants against a single party, or on
behalf of a single party against such a
numerous body, although there is no
‘common title’ nor ‘community of
right’ or of ‘interest.’”

Colonel Fitch concludes his argu-
ment by saying:

“Any decision of this court which
shall fail to include an expression of
its opinion as to the constitutionality
of the Hawaiian income tax law will
be measurably profitless, both to the
appellants and to the respondent.”

“The appellants will be satisfied to
pay the tax without further redress
if, in the opinion of the judges of this
court, the law inflicting it is constitu-
tional, but until there shall be in some
way an adjudication of that question
by a federal court, they will resist

“It is therefore respectfully urged
upon your honors by all parties that
the public interest in Hawaii Territory
will be greatly promoted if you will
render a decision, or at least an opinion,
upon the question of the constitu-
tionality of the law.”

INCOME TAX CASE SET
FOR HEARING ON APPEALConstitutionality of Law is Again Attacked in
Higher Court—Hearing Will Be Had
on November 10th.

(From Wednesday's Daily.)

On application of both Attorney
General Doile and Colonel Thomas
Fitch the United States Court of Appeals
at San Francisco has forwarded the
income tax case upon its calendar
and agreed to hear it upon November
10th, so that decision may be reached
before any proceedings shall be insti-
tuted against delinquents. Alex. Rob-
ertson sailed on the Sonoma yesterday
and will appear for the Territory at
the argument. Assistant United States
District Attorney Dunne, who is now
in San Francisco, has been employed
by parties interested there, and will
appear for the tax payers; Colonel
Fitch will not go to San Francisco, be-
ing kept here by important business,
but he forwards an elaborate brief of
seventy-one printed pages.

“This proceeding,” says the brief for
the appellants, “was instituted to en-
join the collection of the Hawaiian in-
come tax; a demurrer was interposed upon
the ground that complainants had
an adequate remedy at law, and that the
bill disclosed a want of equity. The lower
court sustained the demurrer upon the
former ground; and without affording
complainants any opportunity to amend,
dismissed the bill outright, instead of ‘without
prejudice.’” Hence this appeal.

“The bill was filed by some sixty or
more of the leading merchants of Honolulu.”
The bill alleges the invalidity of the
income tax law, and avers that not-
withstanding such invalidity, J. W.
Pratt, collector, is threatening to collect
the same, and if the complainants
should pay they could not, if the law
were afterwards declared unconstitutional,
recover their money back, because
“under the system of finances adopted
and in use by the said defendant as
‘treasurer’ the moneys received from
complainants would be paid out to
persons having demands on the treasury
of the Territory of Hawaii.”

“The bill also alleges that the income
tax makes a discrimination in favor
of every man, by a definite and general rule,
should know what proportion of his
property the state demands. Whatever
liberty one may boast of in theory, it
cannot exist in fact while (arbitrary)
assessments continue. The legislation,
in the discrimination it makes, is class
legislation. Whenever a distinction is
made in the burdens of the law, it
imposes an additional tax on the
poor, and lessens the tax on the rich.”

“But the objectionable legislation
reappears in the act under considera-
tion. It is the same in essential character
as that of the English income
statute of 1691, which taxed Protestants
at a certain rate, Catholics as a class,
at double the rate of Protestants, and
Jews at another and separate rate.”

“Section 2 of the Hawaiian income
tax makes a discrimination in favor
of the rich, and not merely of public educational
institutions conducted for the public good,
but in favor of private schools, col-
leges, commercial colleges, fraternal
benefit societies, and fire life and marine
insurance companies; all of which
are conducted for private profit.”

“Concerning similar exemptions in
the income tax law of Congress, Mr.
Justice Field says: 157 U. S. Rep. 596.

“If there were any doubt as to the
intention of the states to make a grant
of the right to impose indirect taxes,
subject to the condition that such taxes
shall be in all respects uniform and
impartial, that doubt should be re-
solved in the interest of justice in favor
of the tax payer.”

Judge Estee sustained the demurrer
of the Territory, and concerning this
demurrer, the counsel for the tax payers
say: It is perfectly evident from the
opinion of the court below that no
attempt was made to pass upon the
question of constitutional validity of
this income tax law. It is also per-
fectly evident from that opinion that
the case in the court below went off
solely upon the point that the com-
plainants have a complete and adequate
remedy at law.

“An examination of the position taken
by the lower court in sustaining this
demurrer will reveal what our
duty compels us to do, but with
great respect for the court below, as
of confusion of thought.”

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“Section 3 of the Hawaiian law dis-
criminate in favor of the man who,
with his family, consumes the product
of his field, orchard, dairy, and poultry
yard and against the man who sells
his potatoes, fruit, butter, eggs, and
chickens.”

“Section 4 makes discrimination be-
tween married men and bachelors; be-
tween wards living together and wards
living separately; between families
where the husband is the only bread-
winner and families where both hus-
band and wife earn an income.”

“Article 5 of the Constitution of the
United States provides that no man
shall be deprived of property without
due process of law and Article 14 pro-
vides that no state shall deny to any
person within its jurisdiction the equal
protection of the laws (and it will
hardly be claimed that a territory has
greater constitutional rights than a state).”

“It is claimed that Judge Estee was
wrong in holding that no one of the
complainants would be subjected to
more than one suit upon refusal to
pay taxes, and therefore an injunction
could not be obtained in order to pre-
vent a multiplicity of suits, and the
appellants quote Professor Pomeroy as
saying:

“The weight of authority is simply
overwhelming that the jurisdiction
may and should be exercised either on
behalf of a numerous body of separate
claimants against a single party, or on
behalf of a single party against such a
numerous body, although there is no
‘common title’ nor ‘community of
right’ or of ‘interest.’”

Colonel Fitch concludes his argu-
ment by saying:

“Any decision of this court which
shall fail to include an expression of
its opinion as to the constitutionality
of the Hawaiian income tax law will
be measurably profitless, both to the
appellants and to the respondent.”

“The appellants will be satisfied to
pay the tax without further redress
if, in the opinion of the judges of this
court, the law inflicting it is constitu-
tional, but until there shall be in some
way an adjudication of that question
by a federal court, they will resist

“It is therefore respectfully urged
upon your honors by all parties that
the public interest in Hawaii Territory
will be greatly promoted if you will
render a decision, or at least an opinion,
upon the question of the constitu-
tionality of the law.”

“Under the act of Congress, the pun-
ishment for fraudulent return was con-
fined to the money penalty. Under the
Hawaiian law it is made a perjury.”

“The essential difference between the
laws is that under the act of Congress
the collector cannot force the tax payer
to appear as a witness or produce
his books. Yet under Section 6 of the
Hawaiian income tax law the assessor
first demands of the supposed tax payer
a statement under oath of his income.
If, in the opinion of the assessor, the
return of the tax payer is false or
fraudulent, then without an oath or
affirmation, without describing the books or papers required,
the assessor summons his victim
to appear before him and bring all his
books and papers with him.”

“There, without a jury, without a
court, without a trial, without being
confronted with the witnesses against
him, without being informed of the
precise nature of the charge against
him, he is compelled to become a wit-
ness against himself, and if, as a result
of the inquisitorial and unconstitutional
examination, the assessor is not
well pleased with the answers made,
he finds his victim guilty of perjury.
The appellants submit that the in-
come tax law is void for want of uni-
formity; that it was enacted in brazen
defiance of the Organic Act of Hawaii
Territory, and of Section 8, Article 1,
and of the 4th, 5th, 6th, and 14th
amendments to the constitution of the
United States, and that the void sec-
tions of it make invalid the entire scheme
of taxation.”

SHIPPING INTELLIGENCE.

ARRIVED.

Tuesday, Oct. 21.

Stmr. Helene, from Hawaii ports, at 9:45 a.m.
Stmr. Sonoma, Von Oterendorp, from the colonies, at 6:50 a.m.
Stmr. Lehua, at 9:30 p.m., from Molokai ports.

Wednesday, Oct. 22.

Stmr. Peru, Robinson, from San Francisco, at 1 a.m.
Stmr. Sierra, Houdlette, from San Francisco, at 7:45 a.m.

Wednesday, October 22.

Stmr. Mikahala, from Kauai ports, at 6:12 a.m.
Thursday, October 23.

Sehr. Kawahani, from Koolau ports, with rice.

DEPARTED.

Tuesday, Oct. 21.

Stmr. J. A. Cummings, for Oahu ports, at 7:45 a.m.
Am. bk. Hesper, Svensen, for Port Townsend, at 11:30 a.m.

Stmr. Hawaii, Nelson, for Paauhau, Kukai, Ookala, Leupahoehoe, Papai, Papanikou, at 5 p.m.

Gas. schr. Eclipse, Townsend, for Molokai, Maui and Hawaii ports, at 5:30 p.m.

Stmr. Claudine, Parker, for Hilo and way ports at noon.
Stmr. Maui, F. Bennett, for Maui ports, at 5 p.m.

Stmr. Mauna Loa, Simerson, for Lahaina, Maalaea, Kona and Kau ports, at 12:30 p.m.
Stmr. W. G. Hall, S. Thompson, for Kauai ports at 5 p.m.

S. S. Sonoma, Von Oterendorp, for San Francisco, at 3:30 p.m.

Wednesday, October 22.

S. S. Sierra, Houdlette, for the colonies, at 11:30 p.m.
Stmr. Lehua, for Molokai, Lanai and Maui ports, at 5 p.m.

S. S. Peru, Robinson, for the Orient, at 9:45 p.m.
Sehr. Rob Roy, for Waihau, at 11:55 a.m.

Thursday, October 23.

Stmr. Mikahala, for Kauai ports, at 5 p.m.
Stmr. Helene, for Mahukona, Paauhau, Kukai, Leupahoehoe, Ookala and Papanikou, at 5 p.m.

Ab. bktm. Newsboy, Chipperfield, for Port Townsend, at noon.
Am. bk. Mohican, Kelly, for San Francisco, at 10 a.m.

Am. schr. Helene, Christmas, for San Francisco, at 11 a.m.
Am. sp. Reuce, for Eagle Harbor, at 9 a.m.

Am. sp. Ivy, Halstead, for Humboldt, at 10 a.m.

PASSENGERS.

Arrived.

Per stmr. Helene, from Hawaii ports, Oct. 21—A. W. Carter, Mrs. A. H. Russel, A. H. Russel.

Per stmr. Lehua, Oct. 21, from Leper Settlement—Miss E. C. Potts, R. W. Madden, G. W. Carr, J. D. McVeigh, and Mrs. H. Holt.

Per stmr. Mikahala, Oct. 22, from Kauai—C. B. Hofs, J. D. Jewett, H. Petrie, R. D. Mead and wife, G. W. Ewart Jr., Miss Blakie, J. A. Akina, Miss Andreth, J. M. Poepoe, Mrs. London, J. Schulmeister, Mr. and Mrs. Najo, L. Tobiene, J. Blakie, J. C. Weller and 37 deck.

Departed.

Per stmr. Claudine, October 21, for Hilo—Miss A. W. Dusen, W. von Gravemeyer and wife, L. T. Kenake, W. L. Irwin and wife, Rev. George Meyer, J. W. Mason, John Smith, A. A. Benson, A. J. W. Mackenzie, Mr. Andrews, Miss Mollie Bush, George C. Watt, B. Pachammer, J. P. Ornellas, Dr. T. Montonaga and wife, Frank D. Camara and wife. For the volcano—Lady Alexander, Miss Baskerville, F. C. Van Dyke and wife, F. S. Harmon, and wife, S. N. Hodgkins and wife. For Lahaina—D. Conway, Rev. and Mrs. Kealauna, Rev. and Mrs. L. Tamaura. For Mahukona—C. C. Brown, Mrs. Ornellas and child, Mrs. Naka, Mrs. Kanda, Jose Ornellas, A. K. Eldredge, George Wilson. For Kawahae—A. W. Carter, Frank Johnson, Mrs. Ah Ting, Mrs. Ah Sam.

Per stmr. Maui, October 21, for Kauai—H. Ahini and daughter, Rev. E. W. Thwing, L. Hoo Seen, Peku Keala, Manuel Jardin Jr. and wife, Mrs. M. Jardin, Wong Sen, Ah Sun, Tuck Sun, Young Young, Akun, Ching Tong, Mrs. E. Rapp, Miss K. Perswinka, Miss K. Rapp, L. J. Elsberg, Joe Morris, F. A. Patter. For Lahaina—F. J. Raven. For Nahiku—J. Jorgensen.

Per stmr. Hawaii, October 21, for Paauhau—E. Walker, J. Crozier, Mrs. E. J. Walker and child.

Per stmr. Mauna Loa, October 21, for Lahaina, Maalaea, Kona and Kau—G. G. Leong, Ahana, Sing Fat, Miss L. Cogshall, Mrs. G. Bechert, Lum Lung, Rev. Y. Muana, Miss Elizabeth Iona, Miss A. Emoneluth, Mrs. H. Foster, Miss Emma Daniels, Miss Rathburn, Miss Mary Wright, J. A. Haaseberg, Charles Marques, Mrs. John Glenn, C. E. Cornell and wife, 47 deck.

Newcastle Shipping Notes.

The American schooner W. H. Talbot left Newcastle on October 1 with a cargo of coal for Honolulu.

An earthquake in South Australia recently entirely demolished the Troubridge Island lighthouse.

The American bark Louisiana is loading coal at Newcastle for Honolulu.

The American schooner William Nottingham is also loading coal for Honolulu.

DUE TODAY.

S. S. Miowera, from Sydney, Brisbane and Suva.

S. S. Moana, Carey, from Victoria and Vancouver, may arrive at night.

ROYAL Baking Powder

Makes the bread more healthful.

Safeguards the food against alum.

Alum baking powders are the greatest menaces to health of the present day.

ROYAL BAKING POWDER CO., NEW YORK.

MORE TROUBLE FOR THE HERMAN

Speeding away southward for Sydney on the steamer Sierra is George W. Sutton, who has authorizations and orders from the syndicate searching for the Cocos Island treasure, said to amount to sixty millions and which is said to be buried on some South Sea island, which will be veritable bombshell when dropped aboard the treasure steamer Herman, a San Francisco merchant and capitalist, and Mrs. Crocker came down to spend a few weeks in the islands. Mr. Crocker is here mostly for pleasure, but may make a few investigations regarding the investment outlook here.

J. H. Boyd, superintendent of public works, and Mrs. Boyd returned by the steamer, and were greeted by a large number of friends when landing at the wharf. Dr. W. J. Galbraith returned after a visit to Omaha and other cities. Superintendent Fuller, of the Kahului Railway, and Mrs. Fuller returned from a visit to the Coast. J. S. McCandless returned from a lengthy tour of the states, which included Port Rico, G. A. Hons and wife, of Wailuku, returned, with Mr. Hons much improved in health. Among other well known people returning was Colonel J. H. Soper, Carl Du Roi, F. S. Dodge, Frank C. Husted, wife and son, Mrs. A. Otis, S. E. P. Taylor and Alexander Young.

The Sierra has a big cargo, amounting to 3,000 tons, which includes heavy shipments of dried fruit for Sydney and Auckland.

The large number of through passengers had an excellent opportunity to see Honolulu, as the steamer arrived early and did not leave for the Colonies until after 10 o'clock last night.

DATE OF ARRIVAL IS UNCERTAIN

The steamer Sierra arrived from San Francisco early yesterday morning, having on board almost a record number of passengers for Honolulu and the Colonies. Among the passengers for Honolulu were a number of bankers and financial men who are interested in the welfare of Hawaii.

In addition to J. F. Hackfeld, who returned after a six month's absence in Europe, John Lloyd and G. T. Turney came from Europe. The former is president of the German Savings and Loan Society, and the latter is the secretary of the same concern. They are here to inspect investments which the society has made in Hawaii. Another banker, A. Kaines, is the assistant manager of the San Francisco branch of the Canadian Bank of Commerce, and his mission here is to inspect Hawaiian industries, and look up the possibilities for profitable investment here. H. J. Crocker, a San Francisco merchant and capitalist, and Mrs. Crocker came down to spend a few weeks in the islands. Mr. Crocker is here mostly for pleasure, but may make a few investigations regarding the investment outlook here.

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The bell buoy has been taken in from its moorings off the harbor and is to be repaired. During the time that the buoy is away from its moorings a comical buoy will be moored in its place. This buoy is painted red, has a white staff, and a black disc.

When seen yesterday during the stay of the Sierra in port Sutton said that Hoffman would be put off the vessel at Sydney and that the schooner would remain there until about January, as the island where the treasure is located is in the paths of hurricanes and cannot be easily reached before that time.

"I don't think that there will be any shooting," said Sutton, "when I meet Hoffman, but I've got the shooting irons along, as usual. Dr. Luce and Chetwood, who also left the schooner at Honolulu, will join the vessel again at Sydney, and I think it will be next September before we can complete our enterprise and arrive back at San Francisco.

"I don't think that Brown will remain Hoffman on any South Sea island, as he threatened when leaving Honolulu, but I think that Hoffman may have found out by this time that old Captain Brown is the boss of the vessel."

Mr. Sutton is accompanied by D. Stoney, San Francisco man who has invested money in the enterprise of finding the missing gold.

Attacked by a Whale.

BABY'S COUGH MUST NEVER LINGER.—Nothing is more distressing than to see a helpless little infant suffering with a cough, and to be fearful of using a remedy which may contain some harmful ingredient. The makers of Chamberlain's Cough Remedy positively guarantees that this preparation does not contain opium in any form, or any other harmful substance. Mothers may confidently give this remedy to their little ones. It gives prompt relief and is perfectly safe. It always cures and cures quickly. All dealers and druggists sell it. Benson, Smith & Co., Ltd., agents for Hawaii.

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